

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

DAC

#17

Applicant: Jiandong Huang et al.

Title: SOFTWARE-BASED FAULT-TOLERANT NETWORKING USING A SINGLE LAN

Docket No.: H16-26156-01 (256.078US1)

Serial No.: 09/751945

Filed: December 29, 2000

Due Date: June 12, 2004

Examiner: Bunjob Jaroenchonwanit

Group Art Unit: 2143



MS Petitions

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

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OFFICE OF PETITIONS

We are transmitting herewith the following attached items (as indicated with an "X"):


☒ A return postcard.

☒ A Petition to Revive (2 Pages).

If not provided for in a separate paper filed herewith, Please consider this a PETITION FOR EXTENSION OF TIME for sufficient number of months to enter these papers and please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.

Customer Number 000128


By: 
Atty: John M. Dahl
Reg. No. 44,639

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: MS Petitions; Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 16 day of April, 2004.

Name

Gina M. Uphus

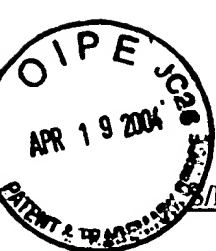
Signature



612-373-6900

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.

(GENERAL)



#16

8/N 09/751945

PATENT

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Serial No.:	09/751945	Group Art Unit:	2143
Filed:	December 29, 2000	Docket:	H16-26156-01 (256.078US1)
Title:	SOFTWARE-BASED FAULT-TOLERANT NETWORKING USING A SINGLE LAN		

PETITION TO REVIVE

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OFFICE OF PETITIONS

Applicant respectfully petitions for revival of the present application, based on an apparent error in the Advisory Action mailed 1/23/2004, and in the subsequent Notice of Abandonment mailed 3/12/2004. Because Applicant's Amendment and Response mailed 8/25/2003 was filed within two months of mailing of the Final Office Action (mailed 6/25/2003), Applicant is entitled to one month from the mailing date of the Advisory Action to respond. Applicant's Notice of Appeal was therefore timely filed on December 29, 2003, which is nearly a month before the Advisory Action was mailed.

Applicant further points out that the Notice of Appeal was filed before mailing of the above-mentioned advisory action, further indicating that the matter was still pending upon filing of the Notice of Appeal. An Appeal Brief was timely filed thereafter. Applicant also wishes to make known that the Amendment and Response filed 8/25/2003 is compliant with 37 C.F.R. 1.113(c), which requires only that Applicant appeal from the rejection of each rejected claim.

Applicant therefore requests that the pending application be revived to correct the errors identified herein, and that the pending Appeal Brief be considered.

Please charge any additional required fees or credit overpayment to Deposit Account No. 19-0743.

PETITION TO REVIVE

Serial Number: 09/751945

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Dkt: 256.078US1

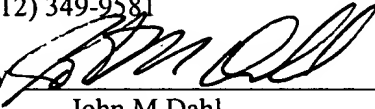
The Examiner is invited to telephone the Applicant's attorney at (612) 349-9581 to facilitate prosecution of this application.

Respectfully submitted,

JIANDONG HUANG ET AL.

By their Representatives,
SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
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Minneapolis, MN 55402
(612) 349-9581

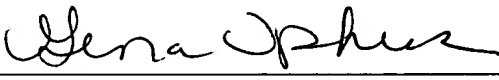
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By 
John M Dahl
Reg. No. 44,639

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Gina M. Uphus

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